

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

CARL HALL,

Defendant.


00-cr-103 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

On January 9, 2020, the Court denied defendant Carl Hall's motion for resentencing under the First Step Act. The Court did so on the ground that it could only reduce Hall's sentence under the First Step Act to the extent his statutory sentencing exposure would be different under the act's modified drug weight thresholds. Because the Court had held in a previous order that "the narcotics count and [drug possession] racketeering act had no effect on the total offense level applied at Mr. Hall's sentencing," ECF No. 70, the Court denied the motion for resentencing.

Hall has now moved for leave to appeal the January 9 order in forma pauperis. Since, for the reasons stated in the Court's order, Hall's claim lacks any arguable basis in law or fact, the Court hereby certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith. See Seimon v. Emigrant Savs. Bank (In re Seimon), 421 F.3d 167, 169 (2d Cir. 2005). Defendant's motion is therefore denied.



SO ORDERED.

Dated: New York, NY

August 5, 2020

A handwritten signature in black ink, appearing to read "JED S. RAKOFF", is written over a horizontal line.

JED S. RAKOFF, U.S.D.J.